

PLANT CLOSING QUESTIONNAIRE

The Determinations Department of the Division of Unemployment Assistance (DUA) is responsible for determining whether a claimant's potentially disqualifying separation package falls within the "plant closing" exception defined by M.G.L., Chapter 151A, Section 1(r)(3) [ref. page 4]. The information requested will be used to make that determination.

Prompt submission of this questionnaire prior to, or at the time of layoff can help to ensure the timely payment of benefits to separated employees. The completed questionnaire may be submitted via fax to 617-727-8796, or mailed to:

Commonwealth of Massachusetts
Division of Unemployment Assistance
Determinations Department, 3rd floor
19 Staniford Street
Boston, MA 02114.

A department representative may be contacted at 617-626-6330 for assistance.

In the event that employees at multiple locations will be affected by the closing, a separate questionnaire must be completed and submitted for each affected location. A separate determination will be made for each location.

1. Company name: _____
2. Facility address: _____
3. What was the largest total number of employees, including both full and part-time workers employed at the facility indicated above during the past six months? _____
4. Will (or has) the facility located at the address indicated above be permanently closed? _____ If yes, indicate date of closure _____
5. If the above indicated facility is not to be closed, will it undergo a workforce reduction accomplished through a series of layoffs? _____. If yes, list actual or anticipated date(s) of layoffs and number(s) of employees affected. Do not include employees transferred to other company facilities.

Actual/Anticipated Dates of Layoffs

Number of Employees Affected

- _____
6. Has the above indicated facility experienced a reduction in force within the past six months? _____. If yes, list the date(s) of those layoffs and the number(s) of employees affected. Do not include employees transferred to other company facilities.

Dates of Layoffs	Number of Employees Affected
_____	_____
_____	_____
_____	_____
_____	_____

7. What is the total number of employees, including both full and part-time workers, to be permanently separated from their jobs as a result of the facility closing or workforce reduction? _____. Do not include employees transferred to other company facilities.
8. Separation pay may include severance pay, payment in lieu dismissal notice, stay or other bonuses, retainer or stand-by pay, etc. Will employees receive separation pay at the time of layoff? _____. If yes, please attach documentation indicating the types of payments that separating employees will receive, the amount of the payments, any requirements that must be met in order to receive the payments and explain how variable payments are calculated for each employee.
9. Will the separation pay be paid in one lump sum? _____. If not, please indicate the number and frequency of payments:

10. Will employees be required to sign a release of claims in order to receive payment? _____. If yes, please attach a copy of the release and indicate the type(s) of payment to be paid contingent on the signing of the release:

Please indicate the name and phone number of the individual who should be contacted for any additional information or clarification of information provided:

_____	_____
NAME	PHONE

Please attach any additional documentation required and certify by signing on the following page.

This document is signed by me under pain and penalties of perjury this

_____th day of _____,200__.

SIGNATURE

NAME

ADDRESS

TELEPHONE

Massachusetts General Laws, Chapter 151A, Section 1(r)(3)

For the purpose of this subsection, “Remuneration” is any consideration, whether paid directly or indirectly, including salaries, commissions and bonuses, and reasonable cash value of board, rent, housing, lodging, payment in kind and all payments in any medium other than cash, received by an individual (1) from his employing unit for services rendered to such employing unit, (2) as net earnings from self-employment, and (3) as termination, severance or dismissal pay, or as payment in lieu of dismissal notice, whether or not notice is required, or as payment for vacation allowance during a period of regular employment; provided, however, that for the purposes of this chapter, “remuneration” shall not include any payment made pursuant to subsection (b) and (c) of section one hundred and eighty-three, and subsection (b) of section one hundred and eighty-four of chapter one hundred and forty-nine, nor shall it include payment for unused vacation or sick leave, or the payment of such termination, severance or dismissal pay or payment in lieu of dismissal notice, made to the employee in a lump sum in connection with a plant closing, or shall this clause affect the application of subsection (d) of section twenty-nine.

For the purposes of this clause, “plant closing” shall mean a permanent cessation or reduction of business at a facility of a least fifty employees which results or will result as determined by the commissioner in the permanent separation of at least fifty percent of the employees of a facility or facilities.

For the purpose of this subsection, the word “remuneration” shall not include tips paid in any medium other than cash but shall include cash tips received by an employee in the course of his employment by an employer. Remuneration shall be deemed to have been received in such week or weeks in which it was earned for such week or weeks, including any fractions thereof, to which it can reasonably be considered to apply. If the length of the period to which the remuneration applies is not clearly identified, such period shall be determined by dividing such remuneration by the amount of the individual’s average weekly wage.

